

REMARKS

In a final Office Action dated August 13, 2008, the Examiner rejected all claims under a combination of 35 U.S.C. §112, first paragraph, 35 U.S.C. §102 and 35 U.S.C. §103. Applicants respond to each of the Examiner's objections and rejections below. In view of the amendments above and the remarks below, Applicants respectfully request reconsideration of the merits of this application.

35 U.S.C. §102/103 Rejections

Claims 31, 33-35, 43, 48, 69 and 72-73 are rejected under 35 U.S.C. §102(b) as being anticipated by Solomon et al., 1997 and claims 36-40 and 44 are rejected under 35 U.S.C. §103(a) as being unpatentable over Solomon et al., 1997.

Claim 41, directed to therapeutic compositions comprising an amyloid beta (A β) polypeptide linked to a monoclonal anti-A β antibody, is not rejected under §102/103.

While neither acquiescing nor agreeing with the Examiner's characterization of Solomon et al., in the interest of speedy prosecution Applicants have cancelled all claims and re-written claim 41 to be in independent form as new claims 74-77.

Applicants note that claim 41 has multiple dependency on claims 33, 34, 35 and 37. Applicants have chosen to present independent claim 41 in four different versions, each of which focuses on the composition of claim 33, claim 34, claim 35 and claim 37.

New claim	Includes the limitations of these claims
Claim 74	Claim 31, claim 33, claim 41
Claim 75	Claim 31, claim 33, claim 34, claim 41
Claim 76	Claim 31, claim 33, claim 34, claim 35, claim 41
Claim 77	Claim 31, claim 33, claim 37, claim 41

35 U.S.C. §112 Rejections

Claims 31, 33-46, 48, 67, 68 and 72-73 are rejected under §112 as being indefinite.

New claims 74-77 are re-written versions of previous claim 41. Claim 41 depended from claim 33, 34, 35 and 37. These claims also depended from other claims. It is Applicants' intention to present claims 74-77 free of §112 rejection issues.

Applicants will respond to the §112 rejections and then tie those rejections into the language of new claims 74-77.

Claims 31, 67 and 73 are rejected for the language "improves or stabilizes one or more clinical features of a CNS disorder in a patient." Claims 31, 67 and 73 have all been cancelled. However, claim 31 forms the basis of new claims 74-77.

While not agreeing with the Examiner's characterization of the language, Applicants note page 12, line 29 of the specification where clinical features of CNS disorders are described. Applicant has now amended claim 33 to be consistent with this description.

Claims 45 and 46 have been rejected at paragraph 7 of page 3 and claims 48 and 72 have been rejected at paragraph 8. Applicants have cancelled these claims.

Applicants believe that they have been responsive to all the Examiner's §112 rejections.

Summary

Applicants have amended the claims in the above-identified application to respond to all of the Examiner's rejections in the Office Action of August 13, 2008. Accordingly, Applicants respectfully request the Examiner to reconsider said rejections and to issue a Notice of Allowance in the claims currently under consideration.

Applicants believe that the application is in condition for allowance and no Request for Continued Examination (RCE) is needed. However, if the claims in this application have not reached resolution by the six month period (February 13, 2009), Applicants ask that this document be treated as a Request for Continued Examination and the appropriate fee be charged to Deposit Account No. 17-0055.

Fees

Applicants believe a fee for four new claims is required. No additional fee is believed due in connection with this submission. However, if a fee is due in this or any subsequent response, please charge the fee to Deposit Account No. 17-0055. Likewise, no extension of time is believed to be necessary. However, should any extension be required in this or any subsequent response, please consider this to be a petition for the

Application No. 10/796,522
Response Dated November 13, 2008
Reply to Office Action of August 13, 2008

appropriate extension of time and a request to charge the petition fee due to the same
Deposit Account.

Respectfully submitted,

Date: 11/13/08

By: Jean C. Baker

Jean C. Baker, Reg. No. 35,433
Attorney for Applicants
QUARLES & BRADY
411 East Wisconsin Avenue
Milwaukee, WI 53202
(414) 277-5709